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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

HAROLD H HAWKS,

Plaintiff,

No. C 04-01822 JSW

v.

JAMES HAMLET,

Defendant.

**ORDER DENYING MOTION TO  
FILE SUPPLEMENTAL PETITION**

This matter comes before the Court upon consideration of Petitioner's motion to file a supplemental petition in this case. The proposed supplemental petition raises new legal claims and facts that are not set encompassed in the initial petition, which is now fully briefed and ripe for disposition. Accordingly, having considered the parties' pleadings and the record in this case, the Court finds the matter suitable for disposition without oral argument and DENIES the motion. This ruling is without prejudice to Petitioner filing a separate petition challenging the denial of parole at his 2003 hearing and, if Petitioner believes it is warranted, seeking to have the cases related or consolidated.

**IT IS SO ORDERED.**

Dated: May 31, 2005

/s/ Jeffrey S. White

JEFFREY S. WHITE

UNITED STATES DISTRICT JUDGE